

IAP7 Rec'd PCT/PTO 08 FEB 2006

Practitioner's Docket No. 101267.0040US

## CHAPTER II

Preliminary Classification:  
Proposed Class:  
Subclass:

TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/US04/25026	03 August 2004 (3.08.04)	08 August 2003 (8.08.03)
International Application No.	International Filing Date	Priority Date Claimed

## ALIMENTARY COMPOSITIONS AND METHODS FOR METABOLIC MODULATION

Title of Invention

MitoChroma Research, Inc.; Miljkovic, Dusan; Hranisavljevic, Jovan; Pietrkowski, Zbigniew;  
Hunter, John; and Van Drunen, Jeffrey

Applicant(s)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date February 8, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV607356288US.

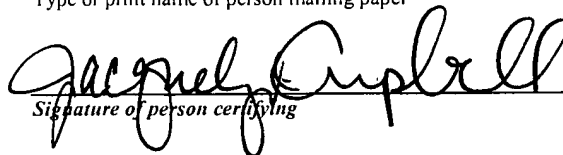
Jacquelyn Campbell

Type or print name of person mailing paper

Date:

2/8/06

Signature of person certifying



**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

10/567868

IAP20 Rec'd PCT/PTO 08 FEB 2006

## 2. Fees

<b>NATIONAL STAGE FEES*</b>	Basic filing fee * \$300.00				\$
	Examination fee \$200.00				
	Search fee \$500.00				
<b>CLAIMS FEE*</b>	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	\$
	<b>TOTAL CLAIMS</b>	20 - 20 =	0	x \$ 50.00 =	\$0.00
	<b>INDEPENDENT CLAIMS</b>	3 - 3 =	0	x \$ 0.00 =	\$0.00
	<b>MULTIPLE DEPENDENT CLAIM(S)</b> (if applicable)			+ \$ 360.00	\$0.00
	Basic filing fee* \$300.00				\$300.00
<b>ADDITIONAL PAGES</b>	Examination fee				\$200.00
	All other situations \$200.00				
	Search fee \$500.00				
	Search fee (37 C.F.R. 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority \$100.00				\$100.00
	Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof"				
	Total Sheets ***Total sheets NU***	Extra Sheets ***Extra Sheets CO***	Number of each additional 50 or fraction thereof (rounded up to a whole number) ***Multiple CO***	250.00	\$0.00
	-+Total of above Calculations				= \$600.00
	Applicant hereby claims small entity status. 37 C.F.R. 1.27. The above fees are reduced by 2				- \$300.00
	Subtotal				\$300.00
	Total National Fee				\$300.00
<b>SMALL ENTITY</b>	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. § 1.21(h)). See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				\$0.00
	<b>TOTAL</b> Total Fees enclosed				\$300.00

See attached Preliminary Amendment Reducing the Number of Claims.

Authorization is hereby made to charge the amount of \$300.00 to Deposit Account No. 502191.  
 Authorization is hereby made to charge the amount of \$300.00 to Credit card as shown on the  
 attached credit card information authorization form PTO-2038.

**10/567868**

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. § 371:

**IAP20 Rec'd PCT/PTO 08 FEB 2006**

- a. This express request to immediately begin national examination procedures (35 U.S.C. § 371(f)).
- b. The U.S. Basic National Fee (35 U.S.C. § 371(a)) and other fees (37 C.F.R. § 1.492) as indicated below:

10/567868

AP20 Rec'd PCT/PTO 08 FEB 2006

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

Please charge, in the manner authorized above, the following additional fees that may be required by this paper and during the entire pendency of this application:

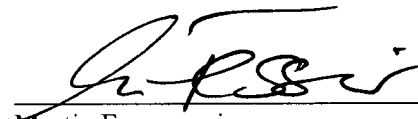
Basic Fee

Search Fee

Examination Fee

Date:

2/8/06



Martin Fessenmaier  
Registration No. 46697  
Rutan & Tucker, LLP  
611 Anton Blvd., Suite 1400  
Costa Mesa, CA 92626  
US  
714-641-5100  
Customer No. 34284

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate copy of this sheet is enclosed.

### Assertion of Small Entity Status

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.

3. A copy of the International application as filed (35 U.S.C. § 371(c)(2)) is not required, as the application was filed with the United States Receiving Office.
4. A translation of the International application into the English language (35 U.S.C. § 371(c)(2)) is not required as the application was filed in English.
5. Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. § 371(c)(3)) have not been transmitted. Applicant chose not to make amendments under PCT Article 19.

Date of mailing of Search Report (from form PCT/ISA/210): 31 October 2005.

6. A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. § 371(c)(3)) has not been transmitted for reasons indicated at point 5(c) above.
7. A copy of the international examination report (PCT/IPEA/409) Not required
8. Annex(es) to the international preliminary examination report is/are not required as the application was filed with the United States Receiving Office.
9. A translation of the annexes to the international preliminary examination report is not required as the annexes are in the English language.
10. An oath or declaration of the inventor (35 U.S.C. § 371(c)(4)) complying with 35 U.S.C. § 115 will follow.

### II. Other document(s) or information included:

11. An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a) is not required, as the application was searched by the United States International Searching Authority.
12. An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98 will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. § 371(c).
13. Additional documents:
  - a. International Publication No. 05/016268
  - i. Specification, claims and drawing
  - b. Preliminary amendment (37 C.F.R. § 1.121)

14. The above items are being transmitted before 30 months from any claimed priority date.